IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

Bail Appl..No. 5157 of 2007()

CMP.3086/2007 of ADDL.C.J.M.,TRIVANDRUM

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CRIME NO.32/2007 OF THIRUVANANTHAPURAM EXCISE RANGE

PETITIONERS/ACCUSED 1 & 2

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1. SAJU, S/O.DENNISON, PULLOORKONATHU VEEDU, PERUMPAZHUTHOOR, NEYYATTINKARA.

2. VISHNU, S/O.SIVANKUTTY, VISHUBHAVAN, MARANALLOOR, NEYYATTINKARA.

BY ADV. SRI.S.D.ASOKAN

RESPONDENTS: COMPLAINANTS

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1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR, THIRUVANANTHAPURAM EXCISE RANGE, THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 5157 of 2007

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Dated this the 22nd day of August, 2007

ORDER

Application for regular bail. The petitioners are accused 1 and 2. They face allegations under the Kerala Abkari Act. They were allegedly involved in a culpable attempt to transport of 70 litres of spirit in a Maruthi van. They were intercepted by the Excise officials on 11.7.07. and they continue in custody from that date.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that Investigators are granted some further time to complete the investigation and I am satisfied that the petitioners can now directed to be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall not be released on the strength of this order prior to 25.08.2007. The Investigators shall in the

meantime make every endeavour to complete the investigation.

ii) The petitioners shall execute bonds for Rs.1,00,000/- (Rupees One lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays,Wednesdays and Fridays for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE